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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/619,700	07/14/2003	Toby Smith	P1721US01	3047
22206 7590 04/09/2007 FELLERS SNIDER BLANKENSHIP BAILEY & TIPPENS THE KENNEDY BUILDING 321 SOUTH BOSTON SUITE 800 TULSA, OK 74103-3318			EXAMINER LE, HUYEN D	
			ART UNIT 2615	PAPER NUMBER
			MAIL DATE 04/09/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

1. The reply brief filed 01/12/07 has been entered and considered. The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.

Responding to the arguments about the combination of Byrne in view of Nakagawa, the examiner has provided the Nakagawa reference for the teaching of using the adhesives for better supporting the mounting devices to the upper and lower surfaces of the diaphragm of Byrne. The examiner has not combined the Nakagawa reference for modifying the structure of the Byrne loudspeaker.

Responding to the arguments about the Nakagawa reference, the Appellant should note that Nakagawa is a secondary reference in the rejection. Byrne teaches the mounting devices (20, 22, 24, 30) supporting the metal diaphragm at the nodal fulcrum (col. 3, lines 34-49 and lines 66-68 through col. 4, lines 1-25, and figures 2 and 5). Further, Byrne shows the mounting devices (20, 22, 24, 30) that are positioned at the top and bottom surfaces of the diaphragm, and using an adhesive for securing the diaphragm to a support surface of a piezoelectric device is known in the art. Nakagawa teaches an adhesive for connecting the mounting devices to the upper surface and lower surface of the diaphragm (col. 3, lines 29-31 and 59-66, col. 4, lines 42-44, and see figures 6-9).

Since Byrne does teach that the mounting devices support the diaphragm at the node ring, and the diaphragm at the node ring is held stationary (col. 3, lines 44-46); it therefore would have been obvious to one skilled in the art to provide an adhesive or a bonding agent, as taught by Nakagawa, for a reliably keeping stationary the mounting devices (20, 22) of Byrne to the diaphragm.

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The Appellant further note that Nakagawa does teach the use of adhesive at the fixing point of the diaphragm and the support (col. 3, lines 29-31 and 53-63). Nakagawa also shows the use of adhesive on both sides of the diaphragm (figures 6-9 and see col. 3, lines 29-31 and 59-66, col. 4, lines 42-44, and see figures 6-9). Nakagawa's Figures 5 and 8, as argued on pages 6 and 7 in the Reply Brief, are the sectional views (col. 2, lines 9-10 and lines 15-16 and col. 4, lines 42-48).

Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUYEN D. LE whose telephone number is (571) 272-7502. The examiner can normally be reached on 9:30AM-6:00PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, SINH TRAN can be reached on (571) 272-7564. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



HL
March 30, 2007



HUYEN LE
PRIMARY EXAMINER